

UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEW HAMPSHIRE

Rico Contino

v.

Civil No. 09-cv-065-PB

James O'Mara, Superintendent,
Hillsborough County House of
Corrections, et al.

O R D E R

Before the Court is Rico Contino's complaint (document nos. 1 and 5), filed pursuant to 42 U.S.C. § 1983, alleging that the defendants, all employees of the Hillsborough County House of Corrections ("HCHC") have violated his federal constitutional rights.¹ As Contino is a prisoner proceeding pro se, the matter is before me for preliminary review to determine, among other things, whether the complaint states any claim upon which relief might be granted. See 28 U.S.C. § 1915A; United States District Court District of New Hampshire Local Rule ("LR") 4.3(d(2)).

¹In addition to O'Mara, Contino has named the following current and former HCHC employees as defendants to this action: Assistant Superintendent David Dionne, Dr. Charles Ward, Health Services Administrator Denise Ryan, Mental Health Counselors Dianne Barber and Christine Mellnick, and Corrections Officers Guitierrez and Adams.

As fully explained in the Report and Recommendation issued simultaneously with this Order, I find that Contino has stated claims upon which relief might be granted alleging the denial of adequate medical, mental health, and dental care, against defendants Ward, Dionne, and O'Mara. Further, Contino's motion to amend (document no. 7) is GRANTED.


My review of the file indicates that Contino has prepared summons forms for each of the defendants. The Clerk's office is directed to issue the summonses against defendants and forward to the United States Marshal for the District of New Hampshire (the "U.S. Marshal's office") the summons and copies of the complaint (document nos. 1 and 5), the motion to amend (document no. 7), the Report and Recommendation, and this Order. Upon receipt of the necessary documentation, the U.S. Marshal's office shall effect service upon Defendants. See Fed. R. Civ. P. 4(c)(2).

Defendants are instructed to answer or otherwise plead within twenty days of service. See Fed. R. Civ. P. 12(a)(1)(A).

Contino is instructed that all future pleadings, written motions, notices, or similar papers shall be served directly on

the Defendants by delivering or mailing the materials to them or their attorney(s), pursuant to Fed. R. Civ. P. 5(b).

SO ORDERED.


James R. Muirhead
United States Magistrate Judge

Date: May 7, 2009

cc: Rico A. Contino, pro se